

United States District Court

DISTRICT OF DELAWARE

ABBOTT DIABETES CARE, INC.,

Plaintiff,

v.

DEXCOM, INC.,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05 - 590

TO: DEXCOM, INC
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY:

Mary B. Graham (#2256)
James W. Parrett, Jr. (#4292)
Morris, Nichols, Arsht & Tunnell
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

DATE

8/11/05

E. L. Streckler

BY DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and amended complaint was made by me¹

DATE

August 11, 2005

NAME OF SERVER (PRINT)

Christopher Scargill

TITLE

Messenger

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____☐ Left copies thereof at the defendant's dwelling house or usual place of abode with person of suitable age and direction then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☒ Other (specify): Service of the Summons and Complaint was made upon defendant DexCom, Inc. by delivering copies thereof to defendant's registered agent, The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801.

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 8-11-05
Date

Chris Scargill
Signature of Server

Morris, Nichols, Arshet + Tunnell
Address of Server
1201 N. Market Street
Wilmington, DE 19801

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure